

DEPARTMENT OF HEALTH SERVICES

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April 5, 2000

The Honorable Deborah Ortiz
Member of the Senate
State Capitol, Room 4032
Sacramento, CA 95814

Dear Senator Ortiz:

SUPPORT OF SENATE BILL (SB) 1596 (MARCH 23, 2000 VERSION)

The Department of Health Services (Department) is pleased to sponsor SB 1596, which provides new safeguards to protect from subpoena confidential medical and personal information collected by DHS about cancer patients, individuals with birth defects, and participants in studies of the causes of disease and death in California. SB 1596 would also prevent the subpoena of data and records that are derived in part or entirely from these sources. Such protection is necessary to ensure the continued voluntary participation by individuals in research studies that use data collected by the Department.

Successful operation of the California Cancer Registry and other health data collection efforts depends upon uninterrupted and absolute confidentiality of patients' medical records and research data. Important health research, much of which is based upon the data collected and maintained by the Department, will be threatened if health care providers and hospitals cannot be assured that confidentiality will be maintained.

Existing statutes were written prior to the cross-tabulating power of current computer software. With the improved ability of computer data linkage with demographic information, redaction of patients' names and addresses is insufficient to protect individual confidentiality. If the health care community cannot assure the public that their medical records and research data are secure, public distrust could deepen and ultimately prevent citizens from disclosing information to their physicians or from participating in important public health and medical research. Stronger and more specific laws are warranted to prohibit disclosure of confidential medical information.

SB 1596 will provide a sound framework for assuring privacy, confidentiality, and data security for information gathered by Department registries and health studies.

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If you have any questions regarding the Department's position on SB 1596, please contact me at (916) 657-2843.

Sincerely,

ORIGINAL SIGNED BY

Charleen M. Milburn
Deputy Director
Legislative and Governmental Affairs